



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/682,280	08/13/2001	Carrie Brownhill	30GF9094	4830

7590 04/21/2005

Gregory W. Carr
Carr & Storm, L.L.P.
900 Jackson Street
670 Founders Square
Dallas, TX 75202

EXAMINER

NGUYEN, THU HA T

ART UNIT	PAPER NUMBER
----------	--------------

2155

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/682,280

Applicant(s)

BROWNHILL ET AL.

Examiner

Thu Ha T. Nguyen

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 8-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 8-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-6 and 8-10 are presented for examination.
2. Claims 7, 11 and 12 have been withdrawn from consideration in a previous office action for election/restriction.

Response to Arguments

3. Applicant's arguments with respect to claims 1-6, and 8-10 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 3-4, 6, and 8-10 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over **Logue** U.S. Patent No. **6,330,606**, in view of **Diefes et al.** (hereinafter **Diefes**) U.S. Patent No. **5,534,875**.

6. As to claim 1, **Logue** teaches the invention as claimed, including a service-portal automation control module (ACM), comprising:

a first central processing unit (CPU) configured for processing automation control signals (figure 3, element 55, figure 4, element 430 – the NIC 55);

a first memory operably connected to said first CPU (figure 4, elements 420, 440);

a second CPU operably connected to said first CPU (figure 3, element 50, figure 4, element 410);

a second memory operably connected to said second CPU for storing a service-portal database (figure 4, elements 461, 465, 425) containing a first set of service-portal data and one or more links to a second set of service-portal data stored in a remote network server (figure 4, elements 461, 465, 425, 480, col. 5, lines 5-col. 6lines 67); and

a first network interface operably connected to said second CPU (figures 3, 4, element 54) and to a gateway configured for enabling said second CPU to communicate with said remote network server (figures 1, 3, 4, col. 3, lines 40-50 – the modem pool 2 coupled through a router (which can be interpreted as gateway) interfaces between proxy 405 and remote site administrator 480 (which can be read as remote network server)).

However, **Logue** does not explicitly teach a first central processing unit (CPU) configured for receiving telemetry data. **Diefes** teaches a central processing unit configured for receiving telemetry data (col. 4, line 62-col. 5, line 15, col. 7, lines 30-48). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of **Logue** and **Diefes** to include the

feature of CPU configured for receiving telemetry data because it would provide an efficient communication system that reduces error from the received telemetry data and electronic signal.

7. As to claim 3, **Logue** teaches the invention as claimed, wherein said first memory stores a configuration file containing specific information on said service-portal ACM (col. 5, lines 5-col. 6, lines 67, col. 7, lines 40-col. 8 lines 14).

8. As to claim 4, **Logue** teaches the invention as claimed, wherein said second CPU is configured for functioning as a network server (figures 3-4).

9. As to claim 6, **Logue** teaches the invention as claimed, wherein said gateway is configured for enabling said second CPU to communicate with said remote network server via Internet (figures 1, 3, 4, col. 3, lines 40-50 – the modem pool 2 coupled through a router (which can be interpreted as gateway) interfaces between proxy 405 and remote site administrator 480 (which can be read as remote network server)).

10. As to claim 8, **Logue** teaches the invention as claimed, further comprising a user interface operably connected to said second CPU and configured for enabling a user to request said first set of service-portal data from said second memory and said

second set of service-portal data from said remote network server (figures 1, 4, elements 461, 465, 425, 480, col. 5, lines 5-col. 6lines 67).

11. As to claim 9, **Logue** teaches the invention as claimed, wherein said second memory is configured for loading at least one Web browser to open Web pages stored in said second memory (figures 2, 4, col. 3, lines 63-col. 4, lines 15, col. 5 lines 5-66).

12. As to claim 10, **Logue** teaches the invention as claimed, further comprising: a third CPU operably connected to said gateway and configured for communicating with said second CPU and said remote network server via said gateway; and a third memory operably connected to said third CPU and configured for loading at least one Web browser to open Web pages stored in said second memory (figures 2, 4, col. 3, lines 63-col. 4, lines 15, col. 5 lines 5-66, col. 9, lines 55-col. 10 lines 29, col. 11, lines 25-27). WebTV client 1 having hardware/software for providing user with user interface to access network service, browse the web, access the Internet, it deems to be inherent that WebTV client 1 have a CPU, a memory in order to process request, browse the web and load the desired web page.

13. Claims 2 and 5 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over **Logue** U.S. Patent No. **6,330,606**, in view of **Stephens, Jr.** U.S. Patent No. **6,557,026**.

14. As to claim 2, **Logue** does not explicitly teach the invention as claimed; however, **Stephens, Jr.** teaches: a backplane interface operably connected to said first CPU; an ACM backplane operably connected to said backplane interface; and an interface module operably connected to said ACM backplane (figure 1A, col. 5, lines 38-col. 6 lines 67). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of **Logue and Stephens, Jr.** to include backplane interface and interface module because it would provide an efficient communications system that can monitor and control the standard peripheral devices.

15. As to claim 5, **Logue** teaches the invention as claimed, wherein said first network interface supports one or more low-level protocols including TCP/IP protocol (figure 1-4, col. 5, lines 17-30). It would have been obvious to one of ordinary skill in the art that **Logue** teaches that client and server establish a connection so that they can send message back and forth which is obvious to one skill in the art that the system using different protocols including TCP/IP protocol because it would provide an efficient system that for data transmission over networks.

Conclusion

16. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Ha Nguyen, whose telephone number is (571) 272-3989. The examiner can normally be reached Monday through Friday from 8:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam, can be reached at (571) 272-3978.

Art Unit: 2155

Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications.

Thu Ha Nguyen

April 13, 2005



HOSAIN ALAM
SUPERVISORY PATENT EXAMINER